

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ELMER CAMPBELL, <i>et al.</i> ,)	
)	
Plaintiffs, •)	CIVIL ACTION NO. C-1-01-527
)	
v.)	JUDGE: BECKWITH
)	MAGISTRATE JUDGE: HOGAN
INTERNATIONAL PAPER,)	
SUN CAPITAL PARTNERS, INC.,)	
SMART PAPERS, LLC,)	
)	
Defendants.)	
_____)	

**DECLARATION OF CHARLES P. GROPPÉ
IN SUPPORT OF BILL OF COSTS SUBMITTED BY
DEFENDANTS' SMART PAPERS AND SUN CAPITAL PARTNERS, INC.**

I, Charles P. Groppe, declare as follows:

1. My name is Charles P. Groppe. I am an attorney with the law firm of Morgan, Lewis & Bockius LLP in Washington, D.C. I am one of the lawyers that has represented Defendants Smart Papers, LLC and Sun Capital Partners, Inc. ("Defendants") in this case and appeal. I make this declaration based upon my work on this case.

2. During the proceedings in the before the District Court, the parties in this case took the following depositions. The transcripts for these depositions were filed by Plaintiffs during briefing for summary judgments and were necessary for use by the Court in rendering its decision in favor of Defendants.

3. Defendants' costs for these depositions, which the Defendants seek reimbursement for, are as follows:

COURT REPORTER FEES	AMOUNT
Deposition Transcript of Mary Rita Weissman and Dan Maheu	\$1358.25
Deposition Transcript of E. Campbell and E. Hensley	\$709.85
Deposition Transcript of L. Broughton and L. McCleary	\$1,107.45
Deposition Transcript of R. Turner	\$852.65
Deposition Transcript of J. Ketchum and E. Hyden	\$878.85
Deposition Transcript of M. McQueen	\$129.35
Deposition Transcript of J. Combs	\$457.90
Deposition Transcript of R. Thomas and J. Israel	\$790.50
Deposition Transcript of T. Fowler and F. Volz	\$715.15
Deposition Transcript of C. Baylor	\$321.90
Deposition Transcript of P. Durbin	\$438.05
Deposition Transcript of H. Gardner	\$641.20
Deposition Transcript of R. McKay	\$717.45
Deposition Transcript of B. Sandlin and J. Combs	\$699.70
Deposition Transcript of L. Brandenburg	\$592.75
Deposition Transcript of J. York	\$337.60
Deposition Transcript of J. Willis and W. Bennett	\$537.40
Deposition Transcript of F. Ogg	\$440.20
Deposition Transcript of R. Arthur	\$490.55
Deposition Transcript of T. Bennett	\$304.65
Deposition Transcript of D. Robertson	\$650.85
Deposition Transcript of C. Brewer	\$357.40
Deposition Transcript of P. Bullio and W. Rumpler	\$671.35
Deposition Transcript of C. Campbell	\$402.50
Deposition Transcript of J. Cress	\$307.35
Deposition Transcript of A. Holland and T. Duncan	\$518.62
Deposition Transcript of M. Eaton	\$382.35
Deposition Transcript of C. Johnson	\$161.10
Deposition Transcript of D. Heinrich	\$293.35
Deposition Transcript of R. Horn	\$356.60
Deposition Transcript of P. Italiano and S. Mann	\$720.60
Deposition Transcript of E. Gill and J. Gregory	\$756.70
Deposition Transcript of L. Marsee and R. Pennington	\$485.00
Deposition Transcript of J. Rodgers and T. Tolbert	\$825.15
Deposition Transcript of J. Lake and R. Hess	\$517.75
Deposition Transcript of R. Wilkins and J. Turley	\$452.75
Deposition Transcript of E. Blevins and J. Clear	\$743.45
Deposition Transcript of D. Gentry and R. Chasteen	\$749.45
Deposition Transcript of P. Spada, D. Ratliff, and J. Turley	\$475.45
Deposition Transcript of A. Johnson	\$151.55
Deposition Transcript of J. Gum, R. Huntington, G. Jackson, S. Green, J. Paisley, and J. Whitaker	\$858.80
Deposition Transcript of D. Couch	\$491.20

COURT REPORTER FEES	AMOUNT
Deposition Transcript of G. Begley, D. Adams, and R. Caldwell	\$682.60
Deposition Transcript of J. Moore, J. Simpson, and J. Truster	\$563.25
Deposition Transcript of T. Jones, C. Croucher, S. Dalessandro, T. Weiser, and B. Carmean	\$1,063.00
Deposition Transcript of R. Bernard, T. Bokeno, J. Rice, and M. Thomas	\$750.00
Deposition Transcript of M. Lewis, K. Kaup, E. Donaldson, and J. Stauble	\$469.00
Deposition Transcript of J. Bryant, M. Allen, M. Steven, and M. Hoff	\$450.00
Deposition Transcript of L. Havens and K. Cecil	\$366.00
Deposition Transcript of J. Bowling	\$187.30
Deposition Transcript of J. Hamblin	\$156.00
Deposition Transcript of P. Butz and D. Shepard	\$399.00
Deposition Transcript of G. Holland	\$198.00
Deposition Transcript of G. Merrill and C. VonBargen	\$441.00
Deposition Transcript of E. McCoy and A. Shutte	\$362.00
Deposition Transcript of M. Lopane and R. Dunn	\$309.00
Deposition Transcript of J. Bergeron and M. Forsythe	\$303.00
Deposition Transcript of D. Hampton and S. Carpenter	\$153.00
Deposition Transcript of P. Simpson and L. Schindler	\$357.00
TOTAL	\$31,059.87

4. In addition, Defendants seek reimbursement for costs of copies of material that were filed with the District Court and served manually on counsel for Plaintiffs in this case. These costs, which were billed at the rate of 12¢ when incurred, are as follows:

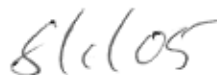
PLEADING	NUMBER OF PAGES	AMOUNT
Answer of Defendant Smart Papers to 4th Amended Complaint	24 pages X 2 copies	\$5.76
Answer of Defendant Sun Capital to 4th Amended Complaint	39 pages X 2 copies	\$9.36
Answer of Defendant Smart Papers to 5th Amended Complaint	24 pages X 2 copies	\$5.76
Answer of Defendant Sun Capital to 4th Amended	30 pages X 2 copies	\$7.20

PLEADING	NUMBER OF PAGES	AMOUNT
Complaint		
Smart Papers' Motion to Dismiss	30 pages X 2 copies	\$7.20
Sun Capital's Motion to Dismiss	16 pages X 2 copies	\$3.84
Smart Papers Reply to Opposition to Motion to Dismiss	45 pages X 2 copies	\$10.80
Sun Capital's Reply to Opposition to Motion to Dismiss	64 pages X 2 copies	\$15.36
Smart Papers' Motion for Summary Judgment	77 pages X 2 copies	\$18.48
Exhibits to Smart Papers' Motion for Summary Judgment	468 pages (two volumes) X 2 copies	\$112.32
Individual Plaintiffs' Appendix Submitted in Support of Motion for Summary Judgment	962 pages (three volumes) X 2 copies	\$230.88
Sun Capital's Motion for Summary Judgment		\$11.04
Smart Papers' Reply to Opposition to Motion for Summary Judgment	85 pages X 2 copies	\$20.40
Sun Capital's Reply to Opposition to Motion for Summary Judgment	22 pages X 2 copies	\$5.28
TOTAL:		\$463.68

I have reviewed the foregoing and declare under penalty of perjury that it is true and correct to the best of my knowledge, information, and belief.



Charles P. Groppe



Date

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Defendants' Bill of Costs was served via Federal Express Overnight Delivery this 1st day of August, 2005, upon:

Randolph H. Freking, Esq.
Freking & Betz
215 East 9th Street, 5th Floor
Cincinnati, OH 45202

A handwritten signature in dark ink, appearing to read 'Ch P. Groppe', is written over a horizontal line.

Charles P. Groppe